

contributions upon the member's withdrawal. Any refunds to a contributor other than a member shall also be subject to the twenty-five dollar (\$25.00) administrative fee. If a refund is to be shared by a member and another party the administrative fee shall be applied to each portion on a pro rata basis."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 16th day of July, 2009.

Became law upon approval of the Governor at 9:36 a.m. on the 27th day of July, 2009.

Session Law 2009-366

H.B. 1090

AN ACT AMENDING THE DEFINITION OF TOTAL AND PARTIAL UNEMPLOYMENT RELATING TO THE TREATMENT OF SEVERANCE PAY UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 96-8(10) reads as rewritten:

"(10) Total and partial unemployment.

- a. For the purpose of establishing a benefit year, an individual shall be deemed to be unemployed:
 1. If ~~he-the individual~~ has payroll attachment but, because of lack of work during the payroll week for which ~~he-the individual~~ is requesting the establishment of a benefit year, ~~he the individual~~ worked less than the equivalent of three customary scheduled full-time days in the establishment, plant, or industry in which ~~he-the individual~~ has payroll attachment as a regular employee. If a benefit year is established, it shall begin on the Sunday preceding the payroll week ending date.
 2. If ~~he-the individual~~ has no payroll attachment on the date ~~he the individual~~ reports to apply for unemployment insurance. If a benefit year is established, it shall begin on the Sunday of the calendar week with respect to which the claimant met the reporting requirements provided by Commission regulation.
- b. For benefit weeks within an established benefit year, a claimant shall be deemed to be:
 1. Totally unemployed, irrespective of job attachment, if ~~his-a claimant's~~ earnings for such week, including payments defined in subparagraph c below, would not reduce ~~his-the claimant's~~ weekly benefit amount as prescribed by G.S. 96-12(c).
 2. Partially unemployed, if ~~he-the claimant~~ has payroll attachment but because of lack of work during the payroll week for which ~~he-the claimant~~ is requesting benefits ~~he-the claimant~~ worked less than three customary scheduled full-time days in the establishment, plant, or industry in which ~~he-the claimant~~ is employed and whose earnings from such employment (including payments defined in subparagraph c below) would qualify ~~him-the claimant~~ for a reduced payment as prescribed by G.S. 96-12(c).
 3. Part-totally unemployed, if the claimant had no job attachment during all or part of such week and whose earnings for odd jobs or subsidiary work (including payments